

**Minutes of the Plenary Meeting held on Thursday 6 June 2013,
Ground Floor Boardroom, Headline Building, Victoria Street, Belfast.**

Present: The Right Honourable Sir Declan Morgan, the Lord Chief
Justice of Northern Ireland (Chairman)
Mrs Sinead Burns
The Right Honourable Lord Justice Coghlin
Mrs Breidge Gadd
District Judge (Magistrates' Courts) Amanda Henderson
Mrs Fiona Keenan
Her Honour Judge Loughran
Mr James McNulty QC
Mr Alastair Rankin
Professor Nichola Rooney
The Honourable Mr Justice Weatherup

In Attendance: Mr Edward Gorringe
Mrs Helen Anderson
Ms Adeline Frew
Miss Catherine Woods

Apologies: Mr Lindsay Todd

Minutes of the Last Meeting

1. The minutes of the meeting held on 25 April 2013 were agreed by the Commissioners.
2. Judge Loughran highlighted a conflict of interest with herself and item at No8 in the agenda, *Appointment of Retired Judiciary to Fee Paid Office*. Judge Loughran will step out while this item is being discussed. All other Commissioners confirmed that there were no conflicts of interest before proceeding with the meeting.

Commissioners Leaving

3. The Chairman thanked Mr Justice Weatherup, Judge Loughran, Judge Henderson and Mrs Burns for all their work with the Commission throughout their term as Commissioners.

Staffing Letter from OFMDFM

4. The Chairman discussed the Staffing Letter dated 4 June 2013 from Alan Maitland, OFMDFM; which refers to Deputy Principle level down. There appears to be an omission in the letter with reference to the number of Executive Officers. Mr Gorringer to draft a reply to the letter.

Action: Mr Gorringer to draft a reply to the letter from Alan Maitland.

Indemnity Insurance for Selection Panel Members

5. Commissioners have indemnity insurance as part of their Terms & Conditions of appointment. The insurance will cover a Commissioner provided they have acted honestly, in good faith and not recklessly. Mr Gorringer is currently investigating if this also covers Independent Selection Panel Members while sitting on our panels.

Action: Mr Gorringer to investigate whether Independent Selection Panel Members are covered by the Government Indemnity Insurance.

Overview of Board Evaluation Questionnaire Responses

6. The Chairman noted that there were still 3 Board Evaluation Questionnaires outstanding and requested these to be submitted. The Chairman will respond in writing to the Board Evaluation Questionnaire findings at the next Plenary.

Action: Outstanding Board Evaluation Questionnaires to be submitted by the Commissioners. The Chairman will present a report at the next Plenary.

7. Discussions were held regarding the Chairman and Commissioners coming to Headline Building to do their Commission work. This would not only maintain a presence by the Commissioners and help them understand the workings of the Commission, but also create a committed time for Commission work. The Chairman himself is considering working in NIJAC one day a month. The Chairman asked for Commissioners to consider this for the next Plenary.

Action: Commissioners to consider coming to the Commission to do Commission work.

Updates from Chairs of the Committees

Business Committee

8. Mrs Breidge Gadd, as Acting Chair of the Business Committee, gave a brief overview of the last Business Committee meeting as follows:

- Budget for 2013/14 reduced to £1,399,000 by OFMDFM on 1 May 2013. The Plenary are assured that the Commission can live within this.
- The Commission for Victims and Survivors NI (CVSNI) have moved into Headline Building. There are no security concerns associated with CVSNI's move.
- Business Objectives have been allocated to each Committee. It is the responsibility of each Committee to ensure these Objectives are met and report back to the Plenary quarterly i.e. at each Plenary.
- Changes to Corporate Objectives will be made in the next Corporate Plan 2014-2017. Changes to Business Objectives will be made in the next Business Plan 2014-15. Work on these two documents will commence later in the year, and are brought to Plenary for approval, as in past years.
- To quicken the scheme timetable we need to ensure that the Commission are liaising with the correct person in authority to make decisions on the scheme. Mrs Anderson explained that when a scheme is advertised, the scheme progresses within the set timescales, most delays are caused by the departments before the date of advert. Recent examples of this were presented by Mrs Anderson.

Audit & Risk Management Committee

9. Mr Gorringe gave the briefing from the Audit & Risk Management Committee on behalf of Mr Lindsay Todd, who could not make today's meeting:

- Staffing is still currently the highest risk on the Risk Register.
- There have been a number of additional standing items added to the agenda.
- Stewardship Statements for the quarter ending 31 January 2012 were reviewed, and the staffing risk features prominently in each.
- New Public Sector Internal Audit Standards (PSIAS) were issued in 2013. No major differences to the previous Government Internal Audit Standards (GIAS).
- Three 2012-13 Internal Audit Review Reports and one Follow up Review Report were looked at. Two of the three 2012-13 reports received a Satisfactory Level of Assurance, and one received a Substantial Level of Assurance.
- It was confirmed that all Commissioners are subject to the Officials Secrets Act. It is contained in the Terms & Conditions Commissioners sign up to when accepting the post.

Policy Committee

10. Lord Justice Coghlin, as Chair of the Policy Committee, gave a brief overview of the last Policy Committee meeting as follows:

- Two policies were approved, the Appointments Policy and the Disclosure Certificates: Policy and Procedures.
- The Renewals Policy was approved in principle subject to amendments being approved by Policy Committee.
- Personal Profiles should be revisited periodically and will be a standing item at each Policy Committee. These will be examined after feedback from the next Joint Liaison Committee (JLC) meeting.
- The JLC will be looking at the DDJ (MC) scheme in detail. There has been difficulty in getting a suitable date for the next JLC meeting.

Updates from Chairs of the Selection Committees

11. Judge Loughran presented paper C13/13 on the Deputy District Judge Scheme and the District Judge Scheme.

12. It was noted that applicants are failing to demonstrate evidence with specific examples the elements of the Personal Profile. The Commission have highlighted the move to Personal Profiles in every Outreach event.

13. The request for additional feedback to applicants at shortlisting stage was discussed, the feedback provided was examined and found to be more than sufficient; providing individual marks or ranking would not help the applicant and was rejected as a form of feedback. The Commission agreed that the policy for feedback in large volume schemes is stated clearly in the feedback policy and freedom of information policy which are both available on the NIJAC website. A reference is made in the applicant information booklet directing applicants to these policies. No further feedback will be provided.
14. Applicants need to be encouraged to think of their future career and to build up a bank of examples to use in future schemes. This message should continue to be emphasised at outreach events.
15. The Commissioners discussed having a pre-agreed method of selection which would be used for all large schemes. This will be tabled at the Plenary Away Day in December and will be part of the strategic review of selection methods.

Review of Selection Methods

16. The Commissioners discussed and agreed a paper circulated to them by Judge Loughran. The Senior Management Team did not have sight of this paper.
17. It was agreed that the Head of Appointments would take the lead in this piece of work, and work with a small group of Commissioners.

Character Issues

18. Character issues arising in current schemes was discussed. Mr Gorringe to provide the Chairman with a timetable of the sequence of events in a recent character issue regarding the DSO scheme.

Action: Mr Gorringe to provide the Chairman details of the sequence of events in the recent character issue in the DSO scheme.

19. The policy on dealing with character issues was discussed and it was agreed the policy should be reviewed. A detailed procedure needs to be included in the policy setting out the roles of staff and commissioners and timing of consideration of issues by Staff, Selection Committee and the Nominated Commissioner.

Action: A revised Character Issue policy to be presented to Policy Committee for approval.

Annual Report and Accounts 2012-13

20. The Plenary approved the draft of the Annual Report and Accounts 2012-13 for release to the NI Audit Office, subject to approval of the Accounts and Governance Statement by the Audit and Risk Management Committee on the 13 June 2013.

Judge Loughran left the room.

Appointment of Retired Judiciary to Fee Paid Office

21. The Commission discussed Paper C12/13. It was agreed to adopt the policy formally, ending it as a pilot. The approval to appoint two retiring judges as deputies was granted.

To Note

Report to the Business Committee

22. The report which had been before the Business Committee on 30 May 2013 was noted by the Commissioners.

Performance against Business Plan

23. The report was discussed in the update by the Business Committee Chair. Business Objectives have been allocated to each Committee.

Action: Each Committee is to ensure these Objectives are met and report back to the Plenary quarterly i.e. at each Plenary.

Updates and Minutes from the Committees

24. Duly noted by the Commissioners, the Chairs of the Committees referred to the minutes in their updates.

Mrs Anderson, Ms Frew and Miss Woods left the room.

Staffing Review and Future Recruitment of Staff

25. Mr Gorringer discussed the Draft Staffing Report and future recruitment plans with the Commissioners.

Signed

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The Right Honourable Sir Declan Morgan, the Lord Chief Justice of Northern Ireland, Chairman of the Northern Ireland Judicial Appointments Commission

Dated

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